

*JPW*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Mieher, et al.

Attorney Docket No.:  
KLA1P117X1A/P1151/2

Application No.: 10/785,396

Examiner: **SMITH, ZANDRA V**

Filed: February 23, 2004

Group: 2877

Title: APPARATUS AND METHODS FOR  
DETECTING OVERLAY ERRORS USING  
SCATTEROMETRY

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on January 6, 2005 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: \_\_\_\_\_

*Natalie Morgan*  
Natalie Morgan

**REQUEST FOR CORRECTED FILING RECEIPT AND SUBMISSION OF  
SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a Supplemental Declaration and Power of Attorney correcting the applicant's name as follows; "Boris Golovanesky" to --Boris Golovanevsky --. Also enclosed is a copy of the filing Receipt for the above-identified patent application. Please reprint the Filing Receipt as shown above and mail the corrected copy to the undersigned.

If it is determined that fees are due, the Commissioner is authorized to charge those fees to Deposit Account 500388 (Order No. KLA1P117X1A).

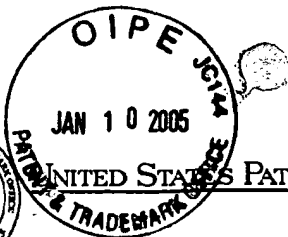
Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

*Mary Ramos Olynick*

Mary Ramos Olynick  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/785,396	02/23/2004	2877	1296	KLA1P117X1A/P1151/2	24	42	1

CONFIRMATION NO. 6516

UPDATED FILING RECEIPT



\*OC000000013533717\*

022434  
 BEYER WEAVER & THOMAS LLP  
 P.O. BOX 778  
 BERKELEY, CA 94704-0778

Date Mailed: 08/13/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Walter D. Mieher, Los Gatos, CA;  
 Ady Levy, Sunnyvale, CA;  
 Boris Golovanovsky, Haifa, ISRAEL; -- Golovanovsky --  
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 Ian Smith, Los Gatos, CA;  
 Michael E. Adel, Zichron Ya'akov, ISRAEL;  
 Anatoly Fabrikant, Fremont, CA;  
 Christopher F. Bevis, Los Gatos, CA;  
 Mark Ghinovker, Migdal Ha'Emek, ISRAEL;

**Assignment For Published Patent Application**

KLA-Tencor Technologies Corporation;

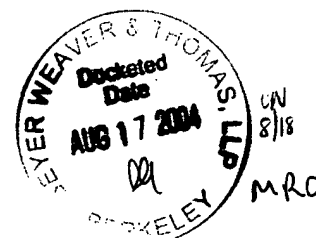
**Domestic Priority data as claimed by applicant**

This application is a CIP of 10/729,838 12/05/2003  
 which claims benefit of 60/504,093 09/19/2003  
 and claims benefit of 60/449,496 02/22/2003  
 and claims benefit of 60/498,524 08/27/2003

**Foreign Applications**

If Required, Foreign Filing License Granted: 05/17/2004

Projected Publication Date: 11/25/2004



**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Apparatus and methods for detecting overlay errors using scatterometry

**Preliminary Class**

356

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

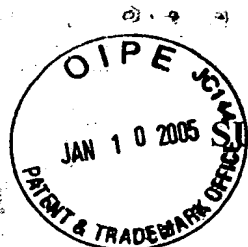
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. KLA1P117X1A/P1151/2

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **APPARATUS AND METHODS FOR DETECTING OVERLAY ERRORS USING SCATTEROMETRY** the specification of which,

(check one)

1. ☐ is attached hereto.
2. ☒ was filed on February 23, 2004 as  
U.S. Application No. 10/785,396  
and was amended on \_\_\_\_\_.
3. ☐ was filed on \_\_\_\_\_ as  
International PCT Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, CFR § 1.56.

### Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

(Application No.)	(Country)	(Filing Date)	Priority Benefits Claimed? Yes ___ No ___
_____	_____	_____	Yes ___ No ___
_____	_____	_____	Yes ___ No ___

### Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>60/504,093</u> (Application No.)	<u>September 19, 2003</u> (Filing Date)
<u>60/449,496</u> (Application No.)	<u>February 22, 2003</u> (Filing Date)
<u>60/498,524</u> (Application No.)	<u>August 27, 2003</u> (Filing Date)

**Prior U.S. Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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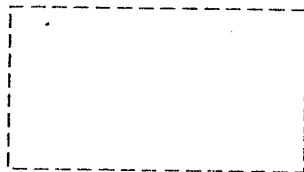
_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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**Power of Attorney**

And I hereby appoint the law firm of **Beyer Weaver & Thomas, LLP** and all practitioners who are associated with the Customer Number 022434 as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**Direct Correspondence To:**

**Customer Number: 022434**



**Direct Telephone Calls To:**

**Mary Ramos Olynick at telephone number (510) 843-6200**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of

Sole or First Inventor: Walter D. Micher

Citizenship: United States

Inventor's signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Residence: (City) Los Gatos

(State/Country) CA/USA

Post Office Address: 14135 Old Japanese Road, Los Gatos, CA 95033

Second Inventor: : Ady Levy

Citizenship: Israel

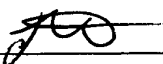
Inventor's signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

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(State/Country) CA/USA

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Third Inventor: Boris Golovanevsky Citizenship: Israel  
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Fourth Inventor: Michael Friedmann Citizenship: Israel  
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Sixth Inventor: Michael E. Adel Citizenship: Israel  
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Eighth Inventor: Christopher F. Bevis Citizenship: United States  
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Ninth Inventor: Mark Ghinovker

Citizenship: Israel

Inventor's signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Residence: (City) Migdal Ha'Emek

State/Country) Israel

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